

OPINION 1164

REFUSAL OF REQUEST TO SUPPRESS *CALOMICRUS*
TAENIATUS WOLLASTON, 1867 (INSECTA, COLEOPTERA)

RULING.— (1) The request that the plenary powers be used to suppress the specific name *taeniatatus* Wollaston, 1867, as published in the binomen *Calomicrus taeniatatus*, is hereby refused.

(2) The specific name *taeniatatus* Wollaston, 1867, as published in the binomen *Calomicrus taeniatatus*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2722.

HISTORY OF THE CASE Z.N.(S.)2012

A request for the suppression of *Calomicrus taeniatatus* Wollaston, 1867 was first received from Dr Hans Silfverberg (Zoological Museum, University of Helsinki, Finland) on 13 July 1972. After some correspondence with Dr Silfverberg, the application was sent to the printer on 27 August 1974 and published on 31 December 1974 in *Bull. zool. Nom.* vol. 31, pp. 216–217. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials and to seven entomological journals. No comment was received.

FIRST VOTE OF THE COMMISSION

On 22 September 1976 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1976)20 for or against the proposals published in *Bull. zool. Nom.* vol. 31, pp. 216–217. At the close of the voting period on 22 December 1976 the state of the voting was as follows:

Affirmative Votes — thirteen (13) received in the following order: Melville, Eisenmann, Vokes, Willink, Lemche, Tortonese, Ride, Brinck, Bayer, Binder, Corliss, Starobogatov, Welch

Negative Votes — nine (9) received in the following order: Mroczkowski, Holthuis, Rohdendorf, Habe, Sabrosky, Dupuis, Nye, Kraus, Bernardi

Alvarado returned a late affirmative vote. No voting paper was returned by Heppell.

The following comments were returned by members of the Commission with their voting papers:

Eisenmann: 'My affirmative vote is subject to the modification suggested below. Considering the vast distance separating the type locality of *Calomicrus taeniatatus* (Cape Verde Islands in

the Atlantic) from that of *Luperus quaternus* (Madagascar, Indian Ocean) I wonder whether it would not be better simply to give precedence to *quaternus* for zoologists considering the names synonymous, thus preserving *taeniatus* if ever the Cape Verde population were given subspecific rank.'

Mroczkowski: 'As *Calomicrus taeniatus* Wollaston, 1867 and *Luperus quaternus* Fairmaire, 1880 are subjective synonyms, both should remain nomenclaturally available. *C. taeniatus* should not be placed on the Official Index of Rejected and Invalid Specific Names in Zoology.'

Rohdendorf: 'I vote against Dr Silfverberg's proposal because *C. taeniatus* is not a forgotten name. It was mentioned in catalogues in 1924 and 1973. This is a typical case for the application of the Law of Priority.'

Sabrosky: 'I find it odd that the name *quaternus* is said to be used in "many works . . . of applied entomology" but that the insect, on the other hand, is only "potentially" noxious.'

Dupuis: 'Quelle serait la situation si l'on constatait que les deux noms concernent en fait des sous-espèces différentes? L'espèce n'étant que "potentially" nuisible il n'y a aucun inconvénient à respecter pour l'instant la priorité.'

Nye: 'I would be willing to vote in favour of a ruling that *L. quaternus* should be given nomenclatural precedence over *C. taeniatus* by anyone who treats them as referring to the same taxon. That is nomenclature. I am not, however, willing to endorse a subjective synonymy and permanently suppress a name when no lectotype has been selected for the species concerned from the "long series of syntypes" from the Cape Verde Islands. It is quite possible that a scientist other than the applicant may wish to treat them as subspecifically separable from the Madagascar population.'

Kraus: 'I vote against the proposal: the applicant did not offer information detailed enough to explain the potential difficulties that would result from the adoption of the senior synonym.'

Bernardi: 'Puisqu'il s'agit simplement d'une espèce "potentially noxious" il faut mieux la désigner par son nom correct, choisir un lectotype de *Calomicrus taeniatus*, et placer *Luperus quaternus* en synonymie. Ainsi si cette espèce devient vraiment nuisible un jour sa nomenclature sera déjà éclaircie et stabilisée, et il n'y aura pas lieu de s'adresser à la Commission.'

SECOND VOTE AND DECISION OF THE COMMISSION

Since the proposals in V.P.(76)20 had been adopted by a majority smaller than a two-thirds majority, it was necessary under Bylaw 35 to call for a second vote, accompanied by a report on the

first vote and a statement of the alternative nomenclatural consequences of acceptance or rejection of the request for the use of the plenary powers. I therefore reported the result of the vote on V.P.(76)20 and the comments reproduced above, and added:

'Taking the above comments into account, it seems to me that the Commission ought, in reconsidering its vote, to choose, first, whether or not to use its plenary powers in the case. This question can be decided by a simple majority vote; and if there is not such a majority for the use of the plenary powers, then the Law of Priority will apply. In that event, I should write a Ruling placing *Calomicrus taeniatus* Wollaston, 1867, on the Official List without mentioning *Luperus quaternus* Fairmaire, 1880.

'If there is a majority for the use of the plenary powers, then the Commission ought to choose whether to use those powers to suppress the senior synonym *Calomicrus taeniatus* (the original proposal), or to give the junior synonym (*Luperus quaternus*) nomenclatural precedence for all zoologists who regard the two specific names as synonymous. A two-thirds majority of the votes validly cast will be required for the adoption of either alternative.

'If the first alternative is adopted, *taeniatus* will be suppressed and *quaternus* will be placed on the Official List. If the second alternative is adopted, both names will be placed on the Official List — *quaternus* with an endorsement that it is to be given precedence over *taeniatus* by those zoologists who consider both names to be synonymous; and *taeniatus* with an endorsement that it is not to be given priority over *quaternus* by those zoologists who consider both names to be synonymous.

'The proposed steps are set out on the attached Voting Paper V.P.(77)12.'

In V.P.(77)12, issued on 1 July 1977 under the Three-Month Rule, the members of the Commission were accordingly invited, in Part 1, to vote for or against the use of the plenary powers in the present case; and in Part 2 to vote either for Alternative A (the suppression of *Calomicrus taeniatus* Wollaston, 1867, for the purposes of the Law of Priority but not for those of the Law of Homonymy), or for Alternative B (the grant of nomenclatural precedence to *Luperus quaternus* over *Calomicrus taeniatus*). At the close of the voting period on 1 October 1977, the state of the voting was as follows:

Part 1

Affirmative Votes — ten (10) received in the following order: Melville, Eisenmann, Mroczkowski, Holthuis, Nye, Rohdendorf, Binder, Corliss, Welch, Bayer

Negative Votes — ten (10) received in the following order: Dupuis, Vokes, Willink, Heppell, Starobogatov, Sabrosky, Cogger,

Habe, Ride, Kraus

Part 2

Alternative A

Affirmative Votes – none (0)

Alternative B

Affirmative Votes – thirteen (13) received in the following order: Melville, Dupuis, Eisenmann, Mroczkowski, Holthuis, Nye, Rohdendorf, Binder, Corliss, Welch, Cogger, Habe, Bayer; plus four (4) conditional votes: Vokes, Willink, Ride, Kraus

Alvarado sent in a late affirmative vote for the use of the plenary powers and for Alternative A in Part 2. No voting papers were returned by Bernardi, Lemche and Tortonese.

Dr Cogger observed: 'Not having been involved in the first vote, I believe that the original proposal of Silfverberg did not make a convincing case for the use of the plenary powers and thus the Law of Priority should apply. Given the distance between the type localities of the two species and the existence of the original type material of both taxa it would, in my view, be inappropriate to suppress the name *Calomicrus taeniatus* Wollaston.'

As there was no majority for the use of the plenary powers in the second vote; as each of the alternatives offered in the second part of the Voting Paper called for the use of those powers; and as Bylaw 36 requires a two-thirds majority for a favourable vote, it is clear that neither of the said alternatives has been adopted. As a result, the original proposal is lost and the Law of Priority applies.

ORIGINAL REFERENCE

The following is the original reference to a name placed on an Official List by the ruling given in the present Opinion:

taeniatus, *Calomicrus*, Wollaston, 1867, *Coleoptera Hesperidum*, being an enumeration of the coleopterous insects of the Cape Verde archipelago, London (van Voorst), p. 145.

CERTIFICATE

I hereby certify that the votes cast on Voting Papers (76)20 and (77)12 were cast as set out above, that the request for the use of the plenary powers in the present case has been refused, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1164.

R.V. MELVILLE, *Secretary*
International Commission on Zoological Nomenclature, London. 19 Aug. 1980